

MEDIUM MANUFACTURING  
(TITLE 30)

NEVSO DR/FIDUS DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0537-ALBERS MONTE & LUCIA LIVING TR & ALBERS MONTE & LUCIA CO-TRS:**

**USE PERMIT** to allow a medium manufacturing facility.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback to a non-industrial use on 0.4 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Fidus Drive, 100 feet south of Nevso Drive within Paradise. MN/sd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-19-112-005

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the separation from a medium manufacturing use to a non-industrial use to 560 feet where 600 feet is required per Table 30.44-1 (a 7% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4225 Fidus Drive, Suite 208
- Site Acreage: 0.4
- Project Type: Medium manufacturing (hemp extraction)
- Number of Stories: 2
- Building Height (feet): 22
- Square Feet: 593
- Parking Required/Provided: 52/53

**Site Plans**

The plans depict an existing office warehouse building with access to the site from Fidus Drive. The existing property has cross access with existing office/warehouse properties to the north and south. The proposed use is to process hemp products that do not include THC byproducts for the

wholesale sales of CBD products. The applicant will utilize a suite within the existing complex with chemicals that are necessary for processing hemp into CBD oils which requires a use permit. The chemicals and quantities used will not exceed those allowed by Nevada Revised Statutes.

#### Landscaping

Landscaping is not a part of this application. Existing landscaping consists of a 5 foot wide landscape area along Nevso Drive with groundcover, palm trees, and additional landscape islands within the parking areas.

#### Elevations

The plans show a 2 story building constructed of stucco, with a pitched tile roof and parapet walls. A second story balcony provides entrance to the lease spaces on the second floor. Overhead roll-up doors exist on the east elevation of the existing office/warehouse facility.

#### Floor Plans

The plans depict a 593 square foot open warehouse with 2 office areas.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that this request is to process hemp products for CBD oil and other related products and do not contain any amount of THC more than 0.3 percent. Atlas Alchemy has a current Hemp Handler Certificate from the State of Nevada, Department of Agriculture. The business model requires crushing or grinding raw hemp for the removal of all oil components including terpenes, flavonoids, and cannabinoids. The chemical process involves usage of Co2 extraction using frozen Co2, which is non-flammable.

Processes to extract oils and other compounds are done under a professional vent hood with a 900 cubic feet per minute fan. Other chemicals used include alcohols (hydrocarbons) and or coconut oil. No butane or ether or any similar explosive materials will be used. Any flammable compounds are removed with a closed recovery system with minimal heat and no flame source. The equipment involves a low heat (hot plate) device, distilling pot, and water condenser. The applicant also states that extra fire safety precautions will be present including personal safety equipment. The finished oil products and all other extractions will meet product packaging standards (FDA safe) and food grade level safety and sanitation measures.

Approximately 10 gallons to 20 gallons of hydrocarbons, including alcohols of up to 99 percent, will be stored on-site in a proper 1 millimeter cabinet, marked as flammable materials, and will be locked. A maximum of 6 gallons of the necessary chemicals will be in use for any single extraction. These products will be marketed to retail stores, supplemental stores, medical clinics, veterinary clinics, wholesale (online), and trade shows.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0410-16	Retail sales (mattress store) as a principal use	Approved by PC	August 2016
UC-0213-14	Place of worship	Approved by PC	June 2014
ADR-0527-06	Motion picture studio	Approved By ZA	May 2006

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Entertainment Mixed-Use	M-1	Office/warehouse facilities

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis****Current Planning**Use Permit and Waiver of Development Standards

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

A medium manufacturing use is compatible with the approved zoning in this area that is designated for manufacturing and industrial uses. Based on the business model, and the safety and storage precautions the applicant will take with regards to chemicals, staff finds there will not be any negative impacts to the surrounding neighborhood. While there is commercial zoning within the area, existing industrial uses buffer the medium manufacturing use from the commercial uses to the north; therefore, staff can support this request.

**Staff Recommendation**

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- Applicant is advised that this is not approval for future businesses/uses and future businesses/uses may require additional land use approval; the installation and use of cooling systems that consumptively use water are prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JASON GRENINGER

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